

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SOUTH LORAIN MERCHANTS
ASSOCIATION HEALTH AND
WELFARE BENEFIT PLAN, et al.,

Plaintiffs,

vs.

DANIEL FEDELI, et al.,

Defendants.

) CASE NO. 1:05 CV 2792
)
) JUDGE DAN AARON POLSTER
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) ORDER
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The above-captioned case was removed to this Court pursuant to 28 U.S.C. §§ 1331, 1441. *ECF No. 1, Notice of Removal*, at 2. On February 15, 2006, a telephone conference was held with counsel for all parties. During that discussion, the parties agreed that if Defendant Medical Mutual of Ohio (“Medical Mutual”) were dismissed from this action, the case would be left with no federal claim.

On February 27, 2006, Plaintiff filed a notice of dismissal of Defendant Medical Mutual. *ECF No. 19*. As the dismissal of Medical Mutual leaves this case with no federal claim, the Court hereby **REMANDS** the case to the Cuyahoga County Court of Common Pleas from

whence it came. Furthermore, the Court **DENIES AS MOOT** Medical Mutual's motions. (**ECF Nos. 6, 7**). In accordance with the remand, the case management conference scheduled for March 1, 2006 is cancelled.

IT IS SO ORDERED.

/s/Dan Aaron Polster 2/28/06

Dan Aaron Polster
United States District Judge